

# NONSUBSTANTIVE

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW  
**NOTICE PUBLICATION/REGULATIONS SUBMISSION** See Instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

<b>OAL FILE NUMBERS</b>	NOTICE FILE NUMBER <b>Z-</b>	REGULATORY ACTION NUMBER <b>2016-0720-02N</b>	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

2016 JUL 20 P 3:19  
OFFICE OF ADMINISTRATIVE LAW

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

AUG 30 2016  
1:45 PM

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY Dental Board of California	AGENCY FILE NUMBER (If any)
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### A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
<b>OAL USE ONLY</b> <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE		NOTICE REGISTER NUMBER
			PUBLICATION DATE

### B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Specialty Advertising	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) <del>OAL File No. 99-1214-085</del>
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
<b>SECTION(S) AFFECTED</b> (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND <del>1054, 1054.1, and 1054.2</del>
TITLE(S) 16	REPEAL 1054, 1054.1, and 1054.2

LM  
per agency  
request  
8/30/16  
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per agency  
request  
8/30/16

3. TYPE OF FILING	
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 11349.4)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
	<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
	<input type="checkbox"/> File & Print
	<input type="checkbox"/> Other (Specify) _____
	<input type="checkbox"/> Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)	N/A
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5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)	
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State
	<input checked="" type="checkbox"/> §100 Changes Without Regulatory Effect
	<input type="checkbox"/> Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY	
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission
<input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> State Fire Marshal

7. CONTACT PERSON Lusine M Sarkisyan	TELEPHONE NUMBER (916) 263-2027	FAX NUMBER (Optional) (916) 263-2140	E-MAIL ADDRESS (Optional) lusine.sarkisyan@dca.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Karen M Fischer</i>	DATE 7/19/2016
TYPED NAME AND TITLE OF SIGNATORY Karen Fischer, MPA, Executive Officer	

LM  
per agency  
request  
8/30/16

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**ENDORSED APPROVED**

AUG 30 2016

Office of Administrative Law

**TITLE 16. DENTAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS**

**ORDER OF ADOPTION**

**SECTION 100. CHANGE WITHOUT REGULATORY EFFECT**

Delete Section(s) 1054, 1054.1, and 1054.2 of Title 16 of the California Code of Regulations as follows:

**~~§ 1054. Recognized Dental Specialty Boards and Associations.~~**

~~For purposes of this article and Section 651 of the Code, the board recognizes those dental specialty boards which are affiliated with specialties recognized by the American Dental Association, including: American Board of Dental Public Health; American Board of Endodontics; American Board of Oral Pathology; American Board of Oral and Maxillofacial Surgery; American Board of Orthodontics; American Board of Pediatric Dentistry; American Board of Periodontology; and American Board of Prosthodontics.~~

~~The board also recognizes those boards that require two or more years of training in a formal advanced education program affiliated with a school of dentistry or medicine that follows educational guidelines developed by the Council on Dental Education of the American Dental Association, dated January 1975, which are hereby incorporated by reference.~~

~~Note: Authority cited: Sections 651 and 1614, Business and Professions Code. Reference: Section 651, Business and Professions Code.~~

**~~§ 1054.1. Advertising Credentials.~~**

~~(a) A dentist may advertise that he or she has credentials from one of the dental specialty boards recognized by the Board of Dental Examiners of the State of California, pursuant to Section 1054.~~

~~(b) A dentist may not advertise credentials granted by a private or public board or parent association which is not recognized pursuant to Section 1054, unless:~~

~~(1) The private or public board or parent association which grants the credentials currently requires:~~

~~(A) Successful completion of an oral and written examination based on psychometric principles; and~~

~~(B) Training and experience subsequent to successful completion of (A) above, to assure competent practice in the dental discipline as determined by the private or public board or parent association which grants the credentials.~~

~~(2) Any advertisement which references the dentist's credentials shall include the following statement: "[Name of announced dental discipline] is a discipline not recognized as a dental specialty by the Board of Dental Examiners of the State of California".~~

~~(3) The dentist discloses that he or she is a general dentist in any advertising which references the dentist's credentials.~~

~~(c) Subdivision (b)(1)(B) shall not be construed to prohibit a dentist from advertising credentials on the basis that the credentials were granted without examination if the credentials were granted prior to 1985.~~

~~Note: Authority cited: Sections 651 and 1614, Business and Professions Code. Reference: Section 651, Business and Professions Code.~~

**~~§ 1054.2. Advertising as a Specialist.~~**

~~A dentist may not advertise that he or she is a "specialist" unless he or she is certified or eligible for certification by a dental specialty board recognized pursuant to Section 1054.~~

~~Note: Authority cited: Sections 651 and 1614, Business and Professions Code. Reference: Section 651, Business and Professions Code.~~